

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Application of: Ezio BOMBARDELLI *et al.*

Confirmation No.: 7670

Application No.: 10/608,213

Art Unit: 1651

Filed: June 30, 2003

Examiner: To Be Assigned

For: METHODS OF TREATMENT USING A SOYA EXTRACT Attorney Docket No.: 7914-100-999

SECOND REQUEST FOR CORRECTED FILING RECEIPT

Commissioner for Patents
Office of Initial Patent Examination
Filing Receipt Corrections
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants have received a Response to Request for Corrected Filing Receipt for the above-identified application and respectfully disagree with the Examiner's allegation that the number of claims reflected on the filing receipt is correct. It is clear from the attached copies of the preliminary amendment and filing transmittal sheet filed in connection with this case that the total number of claims is 10 and the number of independent claims is 3. The listing of the claims presented on pages 4-6 of the preliminary amendment shows that claims 5-19 are pending in the application, and that claims 5, 7, and 13 are independent. As stated at the top of page 4 of the preliminary amendment, "[t]his listing of claims will replace all prior versions and listings of claims in the application." Accordingly, the 10 claims in the preliminary amendment supplant the 19 claims in the original application.

Applicants therefore respectfully request the following correction:

Please correct the filing fee received to read "750", the number of total claims to read "10" and the number of independent claims to read "3". In addition, there is an error in the title of the invention. The second word of the title should be "of" not "or" as shown on the filing receipt. A copy of the filing receipt with the requested changes marked thereon is attached.

No fee is believed to be due for this submission. Should any fees be required,
however, please charge such fees to Pennie & Edmonds LLP Deposit Account No. 16-1150.

Respectfully submitted,

Date November 6, 2003



Paul E. Dietze Reg. No. 45,627
For: Thomas G. Rowan Reg. No. 34,419

PENNIE & EDMONDS LLP
1667 K Street, N.W.
Washington, DC 20006

(202) 496-4400

Enclosures



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER OF PATENTS AND TRADEMARKS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/608,213	06/30/2003	1651	-918- 750	7914-100-999	1	10	5 3

CONFIRMATION NO. 7670

20582
 PENNIE & EDMONDS LLP
 1667 K STREET NW
 SUITE 1000
 WASHINGTON, DC 20006

FILING RECEIPT



OC000000010934418



Date Mailed: 09/26/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Ezio Bombardelli, Milano, ITALY;
 Bruno Gabetta, Milano, ITALY;

P.E.D.

SEP 29 2003

Assignment For Published Patent Application

Indena SpA;

Domestic Priority data as claimed by applicant

This application is a DIV of 09/902,226 07/11/2001 PAT 6,607,757
 which is a DIV of 09/492,921 01/28/2000 PAT 6,280,777
 which is a CIP of PCT/EP98/04770 07/30/1998

Foreign Applications

GERMANY 197 32 866.0 07/30/1997
 GERMANY 197 32 855.5 07/30/1997
 GERMANY 197 32 822.9 07/30/1997

If Required, Foreign Filing License Granted: 09/26/2003

Projected Publication Date: 01/08/2004

Non-Publication Request: No

Early Publication Request: No

Title

OF
Methods of treatment using a soya extract

Preliminary Class

424

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).